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UNITED STATES OF AMERICA.

Smith, Francis Ormond Jonathan

MR. SMITH'S REVIEW

of the "Letter of Leonard Jarvis, to his Constituents of the Hancock and Washington District, in Maine."

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The pamphlet of Mr. Jarvis, to which I invite the reader's consideration, is designed to divert public attention from certain disreputable and mean actions committed by him, which I have been constrained to expose to the world, in consequence of his continued attacks upon myself and my political relationships, through the newspaper channels of his District.

It was anticipated by me that he would become uneasy under my exposure of him: But I foresaw very distinctly, what his course has subsequently verified; that his restlessness under the guilt and conviction of conduct which every honorable man must despise, would only result in the developement of still other proofs of his true character, such as must sink him still lower in public estimation. Such is the natural tendency of base motives, the world over. They betray the man who yields to them, at the very moment, and in the very operations, which induce him to place the strongest reliance for success upon their cunning. Innocence, or conduct proceeding from high and honorable impulses, or from conscious rectitude, incurs no such danger. He who hopes to gain a permanent advantage over him who has either of these upon his side, by acts of irritation, or the language of obloquy, knows little of the power of either innocence, honorable impulses or conscious rectitude, but will prove his own worst enemy in every struggle. Truly has it been said, "*thrice is he arm'd, who hath his quarrel just.*"

In my exposure of Mr. Jarvis to his constituents, the following facts were established, and so incontrovertibly that he is compelled, in his pamphlet, to admit them, and bend all his efforts to palliate them—viz.

1st. That in disregard of every principle of honor and honesty, he detained, and read a "confidential" letter written by myself to the Hon. John Anderson, then Member of Congress, *knowing at the time*, that the letter had been handed to him *through mistake* by Mr. Anderson, and in the stead of a letter from Judge Ware, which was not confidential. The letter thus pillaged by Mr. Jarvis was marked "confidential" at its commencement, and had no allusion whatever to the subject, upon which Judge Ware's letter was intended to have been shown him. But not content with indulging to this extent his dishonorable propensities, he soon afterwards reported to Judge Preble his version of the letter that he had so rifled, in order to widen

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the existing differences between Judge Preble and myself, and therein wholly misrepresented the letter.

2dly. That at a subsequent date, viz. in January or February last, he purloined from the files of the P. O. Department in Washington City, against the known rules of the Department, a copy, or the substance, of another letter from Gov. Dunlap to myself, relating to the then proposed removal of Mr. Mitchell, the Postmaster at Portland, Me., one of the devoted partisans of Judge Preble. This letter, too, was marked "*confidential*" at its commencement on the inside—and again marked "*confidential*" upon its outside by the Assistant P. M. General, Mr. HOBBIE, and was accompanied by an envelope relating thereto and restricting the use of it, which was also marked "*private*" at its commencement on the inside, and "*confidential*" upon its outside by Mr. HOBBIE. And having thus surreptitiously abstracted the contents of this letter, he forthwith reported them to individuals in the Maine Legislature, to be privately used in misrepresenting and injuring me, supposing that it would lead to dissensions between Gov. Dunlap and myself.

After detecting these vile intrigues in Mr. Jarvis, and possessing myself of incontrovertible evidences of his guilt, I deemed it due to myself and my friends to exact of him an explanation, which should either lead to better treatment in future, or satisfy him that I understood right well the vile uses he was capable of, and to which he was willing to prostitute himself, in serving the purposes of Judge Preble and the members of Judge Preble's faction, who had arrayed themselves against the general policy of the Republican Party in Maine.

Various were the shifts, and ridiculous the devices to which Mr. Jarvis resorted, to evade, on the one hand a justification of his piratical conduct towards the confidential letters I have described, and on the other hand, to steer clear of making a full confession of his baseness and asking to have it forgiven and forgotten. *Want of leisure!—a dislike to the language in which my complaints had been conveyed to him—an apprehension that* "THE INTERESTS OF MAINE" *would suffer—the arrival of one of my letters to him on the Sabbath—his willingness "to be upon terms of courtesy with his colleagues" and "to maintain a good understanding* WITH THEM ALL"*—the supposition that I wished to provoke a quarrel with him*—were the pretences successively put forth by him, to save himself from each branch of the disagreeable alternative to which my detection of his vile intrigues against me pinioned him. I adhered with corresponding vigilance to my determination not to be thus drawn off upon collateral issues from the main subjects at issue, and parried his pretences as they were successively put forth, until he could no longer resist the confession that his conduct had been of a

character which was incapable of any explanation! To use his own words, my "first note *could not produce any explanation*, but might originate an angry discussion." *(See his letter of 14th March, in my former pamphlet.)* This was abandoning all pretence to a justification of his conduct, and of course abandoning the first branch of the alternative presented to him. But instead of adopting the other, and the only proper course for a man thus smitten by detection and conviction in acts of singular baseness, and thereupon resolving to make amends and to "sin no more;" he preferred to yield to the obstinacy and desperation of wounded vanity and pride, and to inform me that I should "find Mr. Jarvis ready to give me *personal satisfaction* whenever I should think proper to call for it!"

What a humiliating commentary of condemnation is that man—who has had his birth, his education and his home in New England—made to furnish upon his own conduct, when driven to confess that the blind ordeal of a *duel* can alone enable him to escape the stigma of his conduct towards another individual! Who among the "CONSTITUENTS" of Mr. Jarvis could feel like an innocent, an honest, or an honorable man—I mean *honorable* in our New England acceptation of the word, if he had been brought to such a straightened condition, on being forced to look back upon his own conduct towards another, and *inwardly upon his own heart?*

My correspondence with him last winter, as published in the exposure which I have made of him, furnishes all the above cited facts in detail.

Turning now to his pamphlet, I will begin with exposing A FRAUD which he has practised in it upon his readers and upon the public, in his ardor to detract from myself, of a character hardly less calculated to excite the indignation of all honest men against him, than are his spoliations committed upon private and confidential correspondence, and his pilfering from the files of the P. O. Department. In his pamphlet, Mr. Jarvis has published an extract of a letter from Hon. C. C. CAMBRELENG, member of Congress from N. York, and another extract of a letter from Hon. J. M. WAYNE, recently member of Congress from Georgia, and now a Judge of the Supreme Court of the U. States. The *knavish* manner in which he presents and makes use of these extracts, inevitably impresses the mind of every reader with the belief, that the honorable writers of them *had knowledge of his intentions* in procuring them—that the writers of them *understood perfectly the differences between Mr. Jarvis and myself—that they had seen my letter to Bates*, in which my opinion of Jarvis is expressed—and that *they intended to take sides with Jarvis.* To all these conclusions, he has studiously aimed in his pamphlet to bring the minds of his "con-

stituents" to whom it is addressed, and the mind of every reader of it. Nor does it disclose a circumstance, or word, or syllable, to excite a suspicion that such is not altogether a true impression respecting Messrs. CAMBRELENG and WAYNE. But on the instant of seeing his pamphlet, I knew *a most base fraud* had been practised in this use of these gentlemen's names and influence. Had I not, however, previously detected and exposed him in his low intrigues to serve the *Preble* faction against myself—*detected* and *exposed* him in obtaining by stealth, and afterwards retailing in perverted versions, the contents of one letter which he saw was "confidential"; and in practising the same vile trick in relation to another letter of a similar character, and violating in addition thereto a known rule of one of the Departments of the Government, which allowed him access to its files only upon the supposition that he was a man of sufficient honor to observe positive injunctions at least, I should have hesitated in crediting, to even the extent of suspicion against him, the possibility of his GUILT IN A FRAUD UPON HIS OWN PEOPLE AND CONSTITUENTS, such as his use of the "extracts" alluded to brought instantly to the light of my own mind, on seeing his pamphlet. The following correspondence between the same Mr. Cambreleng and myself, will at once tell the story.

"HOUSE OF REPRESENTATIVES,
Washington City, Jan. 10, 1835. §

HON. C. C. CAMBRELENG,

Dear Sir: In a pamphlet over the signature of Leonard Jarvis, which has just been received by me, I find what purports to be an extract of a letter from you, under date of the 8th ult. in which you speak of "a malevolent attack" made upon Mr. Jarvis's political character.

The use thus made of the extract of your letter, gives its denunciation an application to a letter which I had previously written to one *Bates*, in which Mr. Jarvis was mentioned, and implies that you were aware of the history and character of my letter to *Bates*, and regarded it as "a malevolent attack" upon Mr. Jarvis.

In justice to myself, which in this case involves justice to your own intentions also, I beg to be informed, whether at the time of writing your letter for Mr. Jarvis, you had been furnished with, or had *seen* a copy of my before named letter to Bates, to which Mr. Jarvis in his pamphlet makes an application of your letter, or knew the nature of the existing differences between Mr. Jarvis and myself, and intended to express any opinion thereupon?

I am fully persuaded, that the impressions under which your letter was written are not truly represented in the application which has been made of it, so far as I am implicated by it; but as others are now interested in knowing the truth of the matter, be good enough to accompany your reply with a permission to use it in such manner as

will not be inconsistent with what is due to all parties. An early reply is desired. I have the honor to be,

with sentiments of sincere esteem, your obd't. serv't.

FRANCIS O. J. SMITH."

"WASHINGTON, 10th Jan. 1835.

Dear Sir: In answer to your note of this morning, I have the pleasure to state, that when I wrote the letter to Mr. Jarvis to which you refer, I had not been furnished with, nor had I seen, the original, or a copy of your letter to Mr. Bates. Neither had I, at that time, any knowledge whatever of the existence of a controversy between Mr. Jarvis and yourself.

I am very respectfully,
your obd't servn't.

Hon. F. O. J. SMITH. C. C. CAMBRELENG."

So much for the FRAUD practised with the letter and name of Mr. Cambreleng, by Mr. Jarvis. I addressed at the same time as above, a similar letter to Judge Wayne. The following is an extract from his reply.

"When I wrote the letter to Mr. Jarvis, to which you allude in your letter to me of to day, I did not know who was the writer of the letter to a paragraph of which Mr. Jarvis called my attention, nor did I know that there was any difference between you. I have never seen the entire letter." "A copy of his letter to me is at your service, if you wish it, and I will give to him a copy of yours to me if he shall ask it. By so doing I shall act impartially between you, without making myself any way a party in your controversy, with which I have had no concern, and with the merits of which I am still unacquainted. I am, dear sir, respectfully,

your obd't. servn't.

JAMES M. WAYNE.

To the Hon. F. O. J. SMITH."

If, after reading this additional proof of the principles and motives that govern Mr. *Jarvis*, not only in his conduct towards myself, but in his dealing with his own "constituents," they, or any other class of readers shall think that I imputed to him qualities which had not then so notoriously characterized him, in pronouncing him "*at Washington the most unpopular and despised man in the ranks of the administration party*," they will at least allow that I did not greatly run ahead of his fame and destiny, nor misjudge the elements of which he is compounded. Who but a man wholly unworthy of political confidence, could have been guilty of violating, as has been shown, the *confidential correspondence* of others, and of abstracting it, *like a thief*, from the files of the P. O. Department, while it bore the written marks of "CONFIDENTIAL," made by that department, also, upon its front, to put every one upon his guard. Would not

such a man as readily, and with as little compunction of feeling, *break the seal of your letters*, to serve his purposes? These acts do not make him a different man from what he was before their commission. But they illustrate to the world, what sort of man he *was* before, and now *is*, and must be regarded in future, by all honest men.

What other man, than one of the character in which Mr. Jarvis has been exposed, would have obtained (by *stealth*, also, as it were,) wherewith to convey fraudulent impressions against another, certificates of character from members of Congress, disposed to befriend him; and afterwards so use those certificates, as to make the writers appear like *partisans* in his own controversy, about the merits of which he had neither furnished them, nor had they the means of *any knowledge whatever?* What other man, would have thus assigned a false and unauthorized position to individuals, who, were willing to lend him a propping hand in the extremity of his own need?—and have made them appear to take sides, and to pronounce opinions, and utter denunciations, in a controversy *whose very existence was unknown to them?*—and this, too, to mislead and abuse the judgments, and prejudice the minds, OF HIS OWN PEOPLE AND CONSTITUENTS! But this is the new aspect in which Mr. Jarvis's pamphlet has enabled me to exhibit his character. It is the *same* character which was capable of filching and violating the private and confidential correspondence that did not concern him at all; only the view had of it now is had through another lattice, which has been loosened from its place by his restlessness under the first exposure that I made of his destitution of honor and principle.

But I invite the reader to glance at Mr. Jarvis's defence of himself. First, in relation to the P. O. Letter. He premises, that I was determined to effect Mr. Mitchell's removal from the P. Office in Portland; and then proceeds—

"So eager was he to accomplish his purpose, that he communicated to the Post Office Department a letter from Gov. Dunlap, of the most confidential nature—a letter that was intended for no mortal eye, but that of Smith. This letter I myself saw upon the files of the P. O. Department, exposed to the gaze of every member of Congress, &c. I lost no time in communicating the fact to Mr. Shepley, in order that he might use his influence with Smith to have the letter withdrawn. * * * If in addition to the information given to Mr. Shepley, I had also imparted the fact to a friend, in the Legislature of Maine, or had even warned Governor Dunlap himself of the violation, on the part, of his correspondent of what among men of honor has always been deemed most sacred, I ask you, with what propriety could Mr. Smith charge me with having done aught that I had not the most perfect right to do? A letter ceases to be confidential when

printed, or otherwise made public, and I certainly should have been justified in taking either or both of the courses to which I have alluded."

Thus, as I remarked in the onset, the attempt of Mr. Jarvis is not to deny the acts charged upon him, but to palliate their baseness. And how well founded is his palliation? It rests entirely upon the assumed ground, that Gov. Dunlap's letter was made *public* on being lodged in the P. O. Department—and that "a letter ceases to be confidential when printed, or otherwise made public, and he certainly would have been justified in taking either or both of the courses to which he had alluded."

Now does not every reader here convict Mr. Jarvis again of dishonesty, in representing the letter as made *public* at the time he saw it? Made *public*, while it was enveloped by a wrapper, marked upon the outside "*Confidential*," by the Assistant Postmaster General himself! and marked inside "*private?*" Made *public*, when the outside of the letter itself was in the same manner marked by the Assistant Post Master General, "*Confidential*," and on the inside marked again "*Confidential?*"—Mr. Jarvis has not had the effrontery to deny that they were thus strongly marked, for he knows the originals all still exist as described. But, notwithstanding all these precautions, and notwithstanding Mr. Jarvis himself describes the letter as "*a letter of the most confidential character*," and notwithstanding he was prohibited from taking a copy of it by the known rules of the Department, he attempts to justify his examination of the letter, and his promulgation of its contents, by considering it as made *public* from its being, (he affects not to know how) in the possession of the P. O. Department! Did ever a detected culprit strain his ingenuity harder for a palliation of his roguery? Are Mr. Jarvis's *constituents* so stupid and reasonless as to swallow contentedly such an exposition of their Representative's code of honor, honesty and fair dealing? It is not to be credited by any body.

But there is another attempt at imposition in the above statement of his case, by Mr. Jarvis. He aims at creating the impression, that he was solicitous only to have the letter withdrawn. Why then write to a friend in the Maine Legislature a copy, or the whole substance, of the letter? Ah, this he seeks again to explain, by representing that he was solicitous to warn Gov. Dunlap himself of the violation, on the part of his correspondent, &c." But to effect only this last end, *a copy*, nor *a summary* of the violated letter, surely, need not have been sent. The fact is, *this is all a false tale made up by Mr. Jarvis to meet his necessity*, and to relieve himself of his detected knavery towards both Gov. D. and myself. And, as luck

will have it, I am enabled TO PROVE IT FALSE, that he wrote "to a friend in the Legislature of Maine," with a view of having Gov. Dunlap "*warned of the violation*, &c." *Charles Jarvis*, the brother of *Leonard*, is the "friend" to whom he wrote. This *Charles Jarvis*, since my first expose of Leonard, and with a precipitancy which made him forget how much cunning concert Leonard's situation required to relieve him, published *his* statement of the matter, and that "lets the cat out of the bag." *Leonard* must "keep cool" if I take one of his own brothers to prove the *falsity* of his pamphlet. In his statement, Charles *denies* that Leonard's letter *authorized* him to make the fact known to the Governor, that his "confidential" letter to myself was exposed, and how much more does it deny, that it requested him so to inform the Governor! Here it is, as I found it addressed by him to myself, through the columns of the *Augusta Age*:—

"ELLSWORTH, Dec. 11, 1834.

Me, me, adsum qui feci: in me convertite ferrum.

Sir:—I have learnt, by your publication of the Washington correspondence between you and Leonard Jarvis, which has been widely circulated in the eighth Congressional District, that you complain of his having communicated to some eastern friends a summary of a confidential letter from Gov. Dunlap to you, which he saw exposed on the files of the Post Office Department. If any wrong has been committed, as the only one justly chargeable I feel bound to avow my share in the transaction, having confidence that the public will duly appreciate my motive.

The fact of the exposure of the confidential letter of Gov. Dunlap to you, was communicated to me in a private letter from Washington. I mentioned it to a member of the Council and *at his request* furnished him with an extract to hand to the Governor. *Unauthorized, on my own responsibility, without waiting to confer with the writer*, and obtaining his leave, if leave would have been granted, I felt it was my duty to place Governor Dunlap on his guard against one, who had shown that in the attainment of an object, he was so little scrupulous as to the means. Your Ob't Serv't,

CHARLES JARVIS.

Hon. F. O. J. Smith."

Thus *Charles*, and not Leonard Jarvis, is the original claimant of the merit of feeling the necessity of putting Gov. Dunlap on his guard! How admirably characterized by truth and fair dealing is my assailant's pamphlet throughout! He seeks to rob even his own brother of a boasted merit, to supply the deficiency in his own stock!

In relation to the letter to Mr. Anderson, he thus attempts to palliate his conduct—not controverting in one single point the accuracy of my account of his course—

"The letter in question I have reason to believe was shown to me through mistake; but I became acquainted with its contents before I knew it was not intended for my perusal. The only question that remains is, whether having thus without impropriety, on my part, become accquainted with the contents of the letter, I was bound to keep them secret? * * * I was not requested to keep this information secret by the person who had placed the letter in my hands, &c. If, however, any person had reason to complain, it was the gentleman through whom the information was obtained," Mr. ANDERSON.

Such is his exposition of himself. And does it not betray a species of dishonesty at heart which few men would nurture, that pretended any respect for honorable intercourse with men? I ask every one who feels an interest to read this controversy, to analyze in his own mind the principles of action thus avowed. The first position is, that even though a man obtains the contents of a *confidential* letter *by mistake*, he is not bound thereafter to respect that letter, or its contents, as confidential! The second is, that if one *by mistake* communicates to another a confidential letter from a third person, it is the duty of the first *to request* the second to keep the information thus disclosed secret, or he is at liberty to make what use of it he pleases! The third is, that in either of the supposed cases, if the person thus possessed of a confidential letter *by mistake* makes use of its contents to the prejudice of the writer of the letter, the writer of it has no reason to complain of it, or hold the guilty one accountable, but it is the exclusive privilege of the one to whom it was written to do so! Such is *Leonard Jarvis's* code of honor and honesty, promulgated by himself! Could such absurd and piratical principles ever have found an advocate in any man living, if he had the slightest chance of defending himself, by recognizing principles more just and consistent with fair dealing? Is not the avowal of such principles of palliation and defence of his conduct, in all respects tantamount to an admission, that his conduct to be palliated and defended has been that of a base, unprincipled man?

But mark still further the odious inconsistency of the man. When my confidential letter to Mr. Anderson fell into Mr. Jarvis's hands, and its contents were violated by him, Mr. Anderson, *the recipient of it*, was the only person to complain rightfully of its abuse. I, *the writer of it*, could have no right to complain of it. When Mr. Dunlap's confidential letter to me fell into the same hands, Mr. Jarvis's, and its contents were violated by him in a like manner, Mr. Dunlap, *the writer of it*, and not myself *the recipient of it*, was the right person to be informed of it at once by this same *honorable* Mr. Jarvis, and the person having the most aggravating cause of complaint!

The dishonesty and duplicity of Jarvis stands out upon every page of his pamphlet, almost as distinctly as does his nose upon his face. It is needless for me to pursue them, after what has been already elicited of his character. At one time he represents Mr. Anderson, what he truly is, frank, cordial, independent, and free from intrigue; but afterwards imputes to him, by direct implication, a connivance with me, in confidential correspondence, at plans to destroy the influence of men every way my superiors. If Mr. J. would have his constituents to believe, that my letter to Mr. Anderson was such as made it the duty of Mr. J. to promulgate its contents at once to the members of the Preble faction, in what light would he make Mr. Anderson appear, whose studious silence both then and ever since upon the subject of that letter to these men, Jarvis does not controvert? The honor and safety of every body in Maine, against my intrigues and plans of destruction, appear most strangely to have depended upon Mr. Jarvis's sense of duty at every turn! The fact is, the letter to Mr. Anderson contained no sentiment of either hostility or reproach towards any human being on earth, and he will so inform every applicant to him upon the subject. Jarvis wholly falsified its contents in his story to Mr. Preble. The latter, on hearing from the same lips the despicable manner in which he saw the letter at all, should have told Jarvis at once that he *had behaved like a knave in ever speaking of the letter again to any one*, and his version of the letter should at once have been suspected by Mr. Preble.

But I proceed to notice one other feature of his defence. He appeals for proof of his political fidelity to his votes in Congress. Let the reader try him by this test on votes of a strictly party character. It is well known that but very few questions arise in Congress, in which a political party can feel so deep and sensitive interest, as in those relating to the *support of*, or *opposition to*, their Presiding Officer. These are strictly questions upon which *every political man is expected to do his duty.* Here parties divide with more precision than at any other time, unless there be gross impropriety on the part of the presiding officer. On the 18th of February, 1834, such a question arose in the House of Representatives; and from its history the sensitiveness of the opposition may readily be inferred. I quote it from the journals of the House, p. 341.

"The House then resumed the consideration of the motion made "by Mr. Polk on the 17th December, that the report of the Secretary "of the Treasury, in relation to the removal of the deposits of the "public funds from the Bank of the United States and its branches, "to certain State Banks, be referred to the committee of Ways and "Means.

"The question recurred on the instructions moved by Mr. McDuffie "on the same day, and on the amendment to said instructions, moved "by Mr. Jones of Georgia, on the 14th of January. And, after fur- "ther debate, the previous question was moved by Mr. Muhlenberg. "And before it was ascertained whether the previous question was, or "was not, demanded by a majority of the members present, a call of "the House was moved by Mr. Chilton. The Speaker [Mr. Stevenson] "decided that after the previous question was moved, and before it "was ascertained whether there was a second to the motion, (which, "by the rules of the House, required a majority of the members pres- "ent) it was not in order to entertain a motion for a call of the House."

"From this decision Mr. Chilton [opposition] took an appeal to "the House; and, after debate, Mr. Chilton withdrew his appeal. "Mr. Adams [opposition] renewed the appeal, and after further de- "bate, withdrew it. The appeal was then renewed by Mr. Foster," [opposition.]

"And the question was put, shall the decision of the Speaker stand "as the judgment of the House?

"And passed in the affirmative, yeas, 115, nays 112."

Was not the foregoing a case of "real necessity!" for Mr. Jarvis's support of his party? How did he vote? Against his party—against every one of his colleagues, not excepting those whom he has procured to vouch for his uniform political fidelity! Against Messrs Hall, Parks, Mason, Kavanagh, McIntire, and myself; and against Mr. C. C. Cambreleng too! What have I said of him? That "he was too odd and offish ever to be depended upon *in case of real necessity.*" Is not here proof of it?

Look at another instance in which all the sensibilities of the republican party in Congress were involved. On the 28th of June, *see Journal of the House, p.* 870:—

"Mr. Richard M. Johnson moved that the rules prescribing the "order of business be suspended for the purpose of enabling him to "move the following resolution, viz:

"*Resolved*, That the thanks of this House be presented to the "honorable Andrew Stevenson, late Speaker, for the firmness, dig- "nity, skill and impartiality with which he filled the office of Speak- "er during the present session."

"And on the question, will the House suspend the rules for the "purpose aforesaid, there appeared yeas 89, nays 49."

Here again was a case of "real necessity,"—two thirds being required to suspend the rule. Every *party* vote was put in requisition. But how did Mr. Jarvis vote? *Against his party?* Yes, against his colleagues whose certificates of party fidelity he has procured! viz. Messrs. [Parks, absent] Kavanagh and McIntire. Also, against Messrs. Hall, Mason, and myself. And Mr. *C. C. Cambreleng*, too—Mr. *Wayne* being absent.

Afterwards, on the same day, when the question of passing the foregoing resolution came up, the vote stood, ayes 97, noes

49. And again did Mr. Jarvis vote against his party, and his colleagues, including those who have certified for him, and against Mr. Cambreleng! Messrs. Hall, Kavanagh, Mason, McIntire, Parks and Smith—Mr. Wayne being still absent.

On the 22d of March, on two several questions of considering appropriations for carrying on the extensive and expensive Cumberland road through Ohio, Indiana, and Illinois, and for erecting a bridge across the Potomac, he voted against each of his colleagues present, viz. Messrs. *Kavanagh, Mason, McIntire, Parks and Smith.*

On the 23d of April, Mr. John Q. Adams (opposition) proposed to amend the journal of the House, whereby to impugn a decision of the presiding officer made on the day previous;—which motion Mr. Boon (administration) moved to lie on the table; whereupon the ayes and noes were ordered, and Mr. B's motion was lost by a vote of 94 to 95. This was a strictly party question, and a case of "real necessity," a change of Mr. J's vote only being wanted to turn the scale! Where again was Mr. Jarvis's vote given? Against his party, and against all his colleagues who were present on the occasion, including those *who have certified for his uniform fidelity!* viz. against Messrs. *Hall, Kavanagh, Mason, McIntire, and Parks.* And against Mr. *Cambreleng* too, though *with* Mr. *Wayne. See House Journal, p.* 556.

I might go on with this enumeration until the subject should cease to be of interest to the reader, and until this review had swollen into a volume. But is it necessary? The *facts* cited—the *record* exhibited, must be enough to satisfy any mind, that I spoke not "without book," and not wholly from reckless hostility, when I described Mr. Jarvis as not to be depended upon, "*in case of real necessity,*" by his party. In giving certificates of general good conduct, men may be carried away by motives of friendship, sympathy, pity or vague and general impressions. The same men, when called upon to testify under a sense of responsibility that would induce them *to scrutinize the conduct of the man imploring their interposition*, would shrink from the undertaking to stand as props to him. But what is the weight of any man's impressions, against RECORDED votes, which cannot lie, respecting the conduct of the voter? Nothing. I properly appreciate and respect the motives of that portion of my colleagues, who have lent themselves to uphold Mr. Jarvis. In Maine their motives will generally be appreciated rightly. But something more than even *their* certificates are wanted to break down the testimony of a large number of Mr. Jarvis's own votes, which are directly at war with their certificates. Even Mr. Wayne is careful to qualify his letter to Mr. Jarvis, as follows—"*I believe you have the respect and confidence of the party*, as you certainly have mine." Faint praise this, at best.

How does Mr. Jarvis seek to avoid the charge of being "the suppliant tool of the Ware faction?" He chooses to understand by this, an allusion to "Gen. Chandler, Judge Preble, Judge Ware, and Mr. Mitchell." And then adds—"I am glad of this public opportunity to declare myself their friend. I have known them long and intimately, and I know them to be men of high character and unblemished reputation, of whom the democratic party may be proud." After thus eulogizing those whom he recognizes as the *Ware faction*, he puts in the certificates of Messrs. McIntire, Parks and Kavanagh, that he, Jarvis, labored in denouncing the course which these gentlemen "of whom the democratic party may be proud" have been pursuing! And the certificate of Mr. Shepley, that it is "impossible that you (Jarvis) can be the suppliant tool of any man or set of men."

Now without questioning at all the motives of my certifying colleagues here, more than where they certify for Mr. Jarvis's *fidelity in voting*, I do here, as there, come down to *incontrovertible facts*, and oppose these as the foundation and confirmation of my declaration, that *Jarvis has been the suppliant tool of the Ware faction on all occasions.* I rest my case upon FACTS. Mr. Jarvis rests his upon *certificates.* The public will judge which are worth most, in a case of character. What but the suppliant tool of the *Ware faction* did Jarvis show himself to be, in improving the earliest opportunity to communicate to Judge Preble, one of the heads of that faction, a version of the letter which he, Jarvis, confesses that Mr. Anderson handed him through mistake, and which was expressly confidential? What but the suppliant tool of the *Ware faction* did Jarvis show himself to be subsequently, in first prying into papers marked *confidential*, by both the writers of them and by the Assistant Postmaster General; and in afterwards purloining a copy, or summary thereof, and communicating it forthwith for the benefit of "the faction," who were then notoriously striving to sustain Mitchell, one of their number, in the Post Office at Portland, against the known policy and interests of the republican party throughout the State? Could *a tool* be more obedient to the interests of its masters, or perform offices more servile and base than these? Such facts prove more than a thousand general certificates could do, of the character and relationships of a man. When Jarvis can get away from these facts, his certificates may be of use to him. But while they remain incontrovertible, certificates of character will only prove what the writers of them are *disposed to do*, and what they *cannot* nevertheless do, towards making him the man he ought to be in public estimation.

Mr. Jarvis affects to find fault that I addressed him a letter

after his intimation that he was ready, if I would invite him, to settle our differences, by *a duel!* Whatever might have been the proper course to have been adopted towards a man who had not himself pursued the correspondence beyond the point where I closed with his own proposition to let it rest, with him who had adopted a different course, I felt justified in doing as I did. By recurring to our correspondence, it will be seen that in his first reply to me he declined making any explanation; and in acknowledging the receipt of that reply, I closed with the remark, that if he considered the reasons which he had given for thus declining, "a sufficient protection of his own character, &c." *I was content to rest there the discussion which he declined, and to abide by the contingency.* Instead, however, of risking the subject to rest there, *he* re-opened the correspondence, and shuffled from one apology to another, under the new pursuit of him, which I then commenced; and the right then belonged to me to place all my motives and views of our relationship in black and white before him. As for his coming up to the mark of a *duellist*, I was sure it was all *bravado*, and nothing more with him. For the man who has the reputation of having been publicly *cow-skinned* in the streets of Paris, as Mr. Jarvis has, for some of the mean actions of his younger years, from want of courage, previously, to answer his antagonist *like a man of honor*, (as Mr. Jarvis would *now* say!) and without resentment enough, afterwards, to avenge himself in any way, can scarcely claim to lecture myself, or any other man, for any slight disregard of the supposed requirements of the duellist's code. Even since I have commenced writing this paragraph, Mr. Jarvis has given new evidence of his pusillanimity, and disgraced the State he represents upon the floor of the House of Representatives, by first eliciting a personal altercation with a member from another State, and afterwards meanly retreating under the lash of the latter, by taking back and explaining away the provocation which he himself had offered, but had not the courage to follow up.*

He speaks of my personal acquaintance with him, and would create the impression that I had sought his. The second time I ever met him was at Brunswick, in November 1834, when he was on his way to Washington. We reached the stage office from opposite directions at about the same time in the evening. After tea, and as I was about to leave the house to visit a friend, he approached and requested to accompany me to that same friend's house. I could not well avoid the offer, and we went together. But as soon as it could be done, decently, I relieved myself and friend of him, by proposing a return to the stage

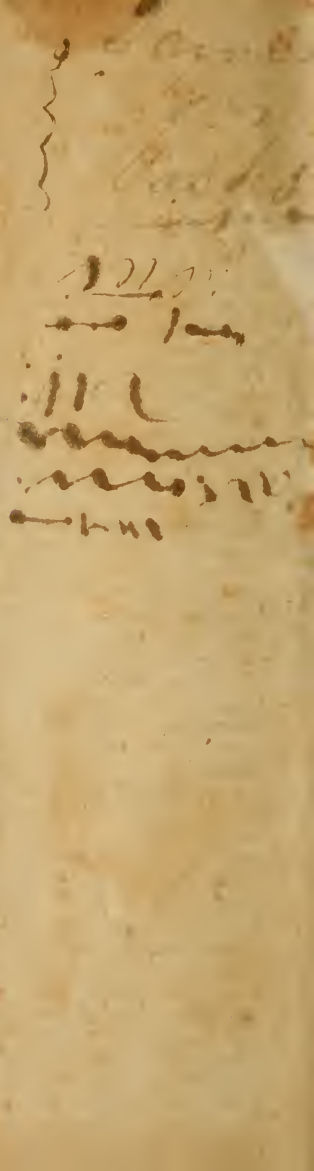
* I allude to what transpired between Mr. Patton, of Virginia, and Mr. Jarvis, on the 21st of January 1835.

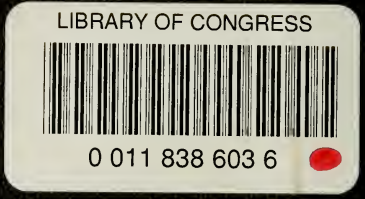
office, with which he complied. Soon after, we parted, and I went and resumed the interview with the gentleman we had first visited disencumbered of Mr. Jarvis. I did not see him again until he called at my lodgings in Washington. His call I never returned, as it was early known to most of my colleagues that I had long before ceased to have confidence in either Mr. Jarvis's political integrity, or his honor as a man. So much for *his* personal acquaintance.

But I have done with him, and have only to add a few remarks which in justice to the course I have adopted ought not to be omitted. I have noticed the repeated attacks upon myself of the papers within Mr. Jarvis's District, understood to be under his own and the control of his relatives; but they have excited no uneasy feelings on my part, for I know that there is intelligence enough among the democracy of that District to adjudicate justly between Mr. Jarvis and myself, and that they could not be long prejudiced by any abuse of me, which my antagonist or any of his partisans might indulge. His conduct and mine is now known to them, in a shape which does not admit of much misunderstanding of either. But when I saw two papers out of the District lending themselves to extend the war, and enlarge it from mostly of a personal, into that of a general character so as to involve the feelings of the republican party at large, I could not but believe that the managers of these presses would upon reflection condemn their own course, *if not the motives of it*, and discover that they were aiding *a policy quite foreign to that by which alone either of them can hope to thrive through a course of years to come.* Hence to these I have made no reply, by remonstrance or otherwise. But I have studiously avoided all attempts to enlist either the republican papers of the State, or the members of the republican party as a party, to enter into my controversy with Mr. Jarvis. He procured *ex parte* documents wherewith to assail me, at the moment I was leaving the State to be absent for months, or to enable others to do so; and I at once in self-defence exposed to the world my relationship with him, and the motives which had actuated him towards myself. To relieve himself from the force of this exposure, he has been guilty of new acts of *deception and fraud upon his own constituents and the public*, and again have I exposed him to their scorn. When he shall be capable of a high-minded, praise-worthy or honorable act, which will in any measure help to wipe out the stigmas which an accumulation of vile ones now fasten upon his name, and cease to be the instrument of a faction in Maine, which has unsuccessfully sought to *rule*, and as unsuccessfully sought to *ruin*, the GREAT REPUBLICAN PARTY in Maine, then will he cease to be disturbed by me.

FRANCIS O. J. SMITH.

January, 1835.

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